



## Emery County Board of Commissioners

P. O. Box 629  
Castle Dale, Utah 84513  
Telephone (801) 748-2119

ACT 1015/1025  
copy to EV

Donald R. Curtis, Commission Chairman  
Rue P. Ware, Commissioner  
John Ira Parker, Jr., Commissioner  
Glen P. Bott, Clerk  
Dan S. Hunter, Administrative Assistant

JIM

October 13, 1982

OCT 18 1982

Mr. Ron Daniels  
Utah State Department of  
Oil, Gas, and Mining  
4241 State Office Building  
Salt Lake City, Utah 84114

Dear Mr. Daniels:

Wendell Owen of Co-op Mining Company has informed me that your office has a question as to whether the Bear Canyon Road (H-5) is to remain on the Emery County system since the road has been moved by Co-op Mining Company.

Emery County, in the regular Commission Meeting of September 1, 1982 voted to keep this roadway on the county system, and instructed our engineers to see that the construction performed by the Co-op Mine was to our standards, and to file the necessary right-of-way documentation with the BLM to accomplish this change on our right-of-way from them. The Co-op has not yet been given any necessary changes to complete by the county for their construction, but that is forthcoming.

If you need additional information concerning this access road, please call me at 381-2119 for more detailed information.

Sincerely,

A handwritten signature in cursive script that reads "Dan S. Hunter".

Dan S. Hunter  
Administrative Assistant  
Emery County Commission

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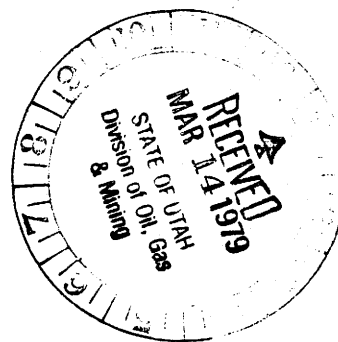
RECEIVED  
OCT 18 1982

DIVISION OF  
OIL, GAS & MINING



CO-OP MINE  
**CO-OP MINING COMPANY**

P. O. BOX 300  
HUNTINGTON, UTAH 84528  
PHONE (801) 748-2777



BEAR CREEK CANYON PORTAL



CO-OP MINE  
**CO-OP MINING COMPANY**

P. O. BOX 300  
HUNTINGTON, UTAH 84528  
PHONE (801) 748-2777

(1) TYPE OF MINING OPERATION

Underground mining only, no overburden shall be removed. Surface operations will include sizing and screening of coal, and limited coal storage areas, including conveyors carrying coal to storage areas. It will not include a wash plant, or other type of waste removal, leaving no waste to be disposed of. There will not be any underground water discharged to the surface for use or disposal.

(2) FIRE PREVENTION

Should any combustible material need to be disposed of, it will be done as follows; the area selected will have the topsoil removed and stockpiled, the waste material will be spread in a layer not to exceed two feet in depth, compacted, buried with the topsoil, and reseeded to prevent erosion. There will be a continuing program of regular inspection of all mining property, to detect any sign of spontaneous combustion, to be immediately extinguished.

(3) 817.11 SIGNS AND MARKERS

A sign identifying the mine area will be placed at the entrance to the mine access road, where it leaves the Huntington canyon road. It will show the name, business address, telephone number, and permit number of the company. Perimeter markers shall be placed at the perimeter of the areas of the surface operations. Topsoil shall be placed at topsoil stockpile sites.

(4) 817.14 COVERING UNUSED UNDERGROUND OPENINGS

Should any mine opening become temporarily inactive, it shall be barricaded and fenced and warning signs shall be posted.

817.15 Upon completion of mining operation of any portal or other opening, the opening shall be permanently sealed to prevent entry.



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(5) 817.21 TOPSOIL

Whenever previously undisturbed areas are to be disturbed, topsoil shall first be removed, segregated, and stockpiled. Stockpiles shall be protected from water erosion with water diversion on the upper side, and shall be protected from wind erosion by seeding it with a grass mixture as outlined in para. 11. Stockpiles will be identified with signs.

(6) 817.31 ROAD CONSTRUCTION AND MAINTENANCE

Haulage roads will be constructed with side ditches, and with culvert at the points where the road crosses natural or constructed drainages, and where ditch relief culverts are required. Culvert and ditches will be large enough to handle the peak runoff of a ten year twenty-four hour precipitation event. Soil erosion will be prevented by planting vegetation, by rock placement at the ends of culverts, or other necessary means. Haulage roads are to be surfaced with road base comparable to that used by the county road department, and shall be maintained by regular grading. When the road is no longer needed, all culverts shall be removed, road shall be scarified, covered with topsoil and reseeded as described in para. 11.

(7) 817.41 HYDROLOGIC SYSTEM  
SURFACE WATER CONTROL

Surface water from undisturbed areas will be diverted from disturbed areas with temporary diversion canals. When dewatering is required, water samples will be collected and sent to Ford Chemical Laboratory for analysis. Results will be sent to the regulating authority. When or before the sediment reaches 60% of storage capacity, it shall be removed. If it does not contain enough coal to salvage, we will deposit it in the area directly up slope from, and adjacent to the pond. It will then be reseeded as described in para. 11.



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SURFACE WATER CONTROL (cont)

Samples of the surface water in the natural drainage shall be collected at two points, as indicated on area map, one above and one below the disturbed area, once each month. These will be analyzed to be sure quality standards and effluent limitations are being met. At the same time, Quantity of flow will be measured. Results of these tests will be submitted to the regulatory authority. Samples of water from any springs that may be encountered will be taken twice yearly, once in the spring and once in the fall, analyzed, the flow measured, and results sent to the regulating authority.

(8) UNDERGROUND WATER

Underground water in the mine does not come from any one or a few points, but accumulates from seepage from cracks, and dripping from the roof from large areas, and is subject to constant variation. The nearest we can come to accurate water volume measurement is by the amount we are pumping for dust control; if our water sumps do not fill faster than we are using it, we can assume there has been no significant change. If there should be a significant change, we will notify the Division within a week.

(9) TERMINATION OF MINING OPERATIONS

Upon completion of mining operations, all coal is to be removed from property. Any remaining traces of coal shall be buried under four feet of soil, or disposed of by returning it to the mine tunnel underground, after which all entries to the mine shall be sealed as described in para. 4.



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(10) RECLAMATION OF DISTURBED SURFACE AREAS

Disturbed surface areas shall be cleared of all structures and equipment and shall then be regraded to the approximate original contour, or a slope comparable to the surrounding terrain; except where slope is steep enough to constitute a hazard to the machine operator, in which case it shall be scarified to make it suitable for reseeding. Topsoil from stockpiles will be spread over reclaimed areas ready to prepare for seeding.

(11) RESEEDING

Reclaimed areas shall be prepared for seeding, and seeded at the next favorable season for planting. Seed mixture shall be as follows:

Crested wheat grass	6#	per acre
Luna pubescent wheat grass	2#	" "
Russian wild rye	6#	" "
Yellow sweet clover	6#	" "
Ladac alfalfa	2#	" "
Small burnet	2#	" "
Sage brush	1/2#	" "
Rabbit brush	1/2#	" "
Four wing salt bush	1/2#	" "

Seed bed will be covered with a straw mulch.

Reseeded areas will be examined once a year for a period of five years to insure the success of the seeding operation. Seeding will be repeated if necessary.

(12) SURETY

We will agree to furnish surety for the completion of operations, in the form of bond or escrow account, the amount to be negotiated between ourselves and the Division.

# SEDIMENTATION POND DESIGN

Height of dewatering device (maximum sediment storage)	35'
Height of water storage (dewatering level to spillway)	22"
Freeboard ( 1' minimum and 4" allowance for water swell)	16"
Total settled height of embankment	<u>74"</u>
Construction height (allowance for settling)	80"
Pond area	1 acre
Disturbed area	4 acres
Sediment storage	3 acre feet
( .75 per acre of disturbed area)	
10 year 24 hour rainfall experience	2.4 in.
	times 4 acres
	<u>9.6 = .8 acre feet</u>
Rainfall runoff	75% = .6 acre feet
Water storage capacity of pond	1.83 " "
% of required capacity	300 %

Pond design is oversized in the event of future expansion, and for maximum evaporation. Dewatering device will consist of a vertical stand pipe connected to an outlet pipe with a manually operated valve, and will be installed on opposite end of pond from pond inlet. A skimming device will be placed at the pond inlet. Spillway will be 16' below top of settled height, 48 inches wide, and will include a concrete apron and/or other device to prevent erosion.



STATE OF UTAH  
NATURAL RESOURCES & ENERGY  
Oil, Gas & Mining

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

October 5, 1982

Mr. Wendell Owen  
Co-op Mining Company  
P. O. Box 1245  
Huntington, Utah 84528

Dear Mr. Owen:

This correspondence shall memorialize the discussions and commitments made at the October 4, 1982 meeting between DOGM personnel and representatives of Co-op Mining Company.

The four (4) areas which are identified in the September 24, 1982 letter as not being properly permitted are not to be subjected to any further disturbance until properly permitted.

The above prohibition to continue activity on the four (4) areas is subject to the following exception. The culvert on the upper storage pad will be reviewed and approved or disapproved by the DOGM hydrology staff. Upon written approval to put the culvert in, Co-op is requested to do so. However, installation of the culvert, when approved, is to be the only activity on the upper storage pad until permission for further activity is expressly permitted.

On or before October 18, 1982, Co-op Mining Company shall provide plans and all necessary data to modify the interim plan submission in the following areas:

- A. The uppermost storage pad.
- B. The new proposed scale house location.
- C. The new road development above the upper storage pad.

Area C, the new road development above the upper storage pad has been recently noted by the Division staff. Although not mentioned in the September 24, 1982 letter, this area is subject to some prohibition of further mining activity.



Mr. Wendell Owen  
October 5, 1982  
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On or before October 8, 1982, Wendell Owen shall communicate a firm date to the Division when all materials stored along the old haul road shall be removed from their present location and disposed of so as to prevent any further deviation from compliance with applicable regulations.

Verification substantiating the contention that the new access road which intersects with the Huntington Canyon Highway is a county road will be promptly submitted to the Division. Furthermore, continued utilization of the road shall be prohibited until said documentation is submitted. For the convenience of the operator, it is suggested that this documentation be immediately submitted and that the operator not wait until October 18, 1982.

After the aforementioned meeting adjourned, Everett Hooper and Cy Young reviewed the maps previously submitted by Co-op Mining Company and other references. It is their opinion that the spring beyond the blue gate is actually located within the permit area.

Moreover, Mr. Hooper did contact Mr. Gerald Story of the Southeastern Utah District Health Department, Price, Utah. Mr. Story indicated that the water rights to this spring had not been resolved. Furthermore, the development activity was unpermitted and contrary to statute.

Mr. Story indicated that previously he had dealt with Co-op Mining Company and that he had not heard of COP Development.

Additionally, Mr. Story represented that the water was being utilized on the permit area.

Consequently, until adequate documentation is received by the Division, the Division shall maintain that the spring is on-site and subject to Division's jurisdiction. Ultimately, Co-op Mining Company is situating itself in a precarious posture whereby violations for failure to mine according to an approved interim mining and reclamation plan and operating without a permit may be issued.

Mr. Carl Kingston indicated that he would furnish the undersigned with information on COP Development. Review of submitted documentation may alter the aforestated Division position. However, a deviation from the aforestated position will be tendered to the operator in writing.

The Order to Show Cause which is scheduled for October 28, 1982 on these unpermitted areas will be continued provided all previously requested materials are timely submitted.

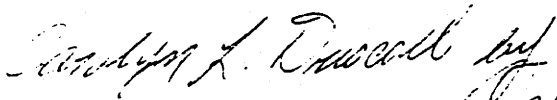
Mr. Wendell Owen  
October 5, 1982  
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The Order to Show Cause on a perceived pattern of violations relating to mining operations in Trail Canyon has not been continued. Further inquiry, which will be conducted during the week of October 4-8, 1982, will determine the fate of this Order to Show Cause. If a determination is made to proceed with this Order to Show Cause, the operator shall be timely notified pursuant to the rules of the Board of Oil, Gas and Mining.

On or before December 31, 1982, Co-op Mining Company shall submit accurate and complete responses to the Division's Apparent Completeness Review.

This communication will be personally delivered to Mr. Wendell Owen by Mr. Joseph Helfrich and Mr. Everett Hooper of the Division staff. Any questions you may have should be directed to those gentlemen while they are on-site on October 6, 1982.

Sincerely,

  
CAROLYN L. DRISCOLL  
SPECIALIST ASSISTANT  
ATTORNEY GENERAL

CLD/btb

cc: Carl Kingston  
Eldon Kingston  
Cleon B. Feight, DOGM  
Ronald W. Daniels, DOGM  
Joseph Helfrich, DOGM  
Everett Hooper, DOGM  
James W. Smith, Jr., DOGM  
Lynn Kunzler, DOGM  
Cy Young, DOGM  
Gerald Story, Southeastern Utah District Health Department, Price, Utah